

Minutes

Bar Harbor Town Council

October 16, 2007

- I. **CALL TO ORDER** – 7:04 P.M. – In attendance were: Councilors Ruth Eveland, Robert Garland, Paul Paradis, Ken Smith, Julia Schloss, Greg Veilleux, Robert Jordan, Jr.; and Town Manager Dana Reed.
 - A. **Excused Absence(s)** – There were none.
- II. **APPROVAL OF MINUTES**
 - A. *October 2, 2007 – Regular Meeting*
 - B. *October 11, 2007 – Special Meeting – Mr. Smith, with second by Ms. Schloss, moved to approve the minutes of the October 2, 2007 regular meeting and the October 11, 2007 special meeting as presented. Motion passed 7-0.*
- III. **ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Jordan, to adopt the agenda as presented with the exception of reversing the order of items G 5 and 6. Motion passed 6-1 (Nay: Mr. Garland).
- IV. **FINANCIAL STATEMENTS** – Financials will be ready later this month. Time was spent with the auditors during their annual review.
- V. **PUBLIC HEARINGS:**
 - A. **Town Meeting: November 6, 2007** – *Explanation and public discussion of the articles on the November 6th Special Town Meeting ballot.*
 - 1. **Article 2 – CHARTER AMENDMENT: Warrant Committee Nomination**
 - 2. **Article 3 – LAND USE ORDINANCE AMENDMENT – Merchant's Association Flag Program**
 - 3. **Article 4 – Comprehensive Plan**

The Chair opened the floor, but there were no comments or questions from the public.
- VI. **REGULAR BUSINESS:**
 - A. **Communications Technology Task Force – Resignations**
 - 1. *Possible acceptance of the resignation of Norman Hill.*
 - 2. *Possible acceptance of the resignation of Charles Herrick.*

Mr. Paradis, with second by Mr. Smith, moved to accept the resignations of Norman Hill and Charles Herrick and thank them for their service on the Communications Technology Task Force. Motion passed 7-0.

B. Cruise Ship Task Force – Membership

1. *Request of the Town Manager for inclusion of the Police Chief.* – Mr. Smith, with second by Mr. Garland, moved to add the Police Chief as a voting member of the Cruise Ship Task Force. Motion passed 7-0.
2. *Possible appointment of members.* – Mr. Paradis nominated Mary Opdyke, George Seavey, and Fredrick Cook for the three residents at large member seats. Town Council unanimously appointed all three nominees to fill the residents-at-large seats. Mr. Paradis nominated Amy Powers for the Cruise Ship Industry seat. Town Council unanimously appointed Amy Powers. Further, Mr. Paradis nominated Chris Fogg and Robert Bahr as Chamber of Commerce representatives. Town Council unanimously appointed the two nominees to fill the Chamber of Commerce representative seats. At this time there were no applications from the tour bus companies. Planning Director Anne Krieg will notify companies of the opportunity.

C. Parks & Recreation – Possible appointment of a member to fill the vacant seat with an expiring term of June 30, 2009. – Mr. Paradis nominated Dan Berry. There being no further nominations, the Town Council voted unanimously to appoint Dan Berry to fill the Parks and Recreation vacant seat with an expiring term of June 30, 2009.

D. School Consolidation – Status report by Council representative Bob Garland. – Councilor Garland reported the process is slow. Trenton and Lamoine are still trying to decide. The committee will not meet the mandated “efficiency” criteria. By not doing so, State funding will be cut. Bar Harbor is looking at forfeiting \$382,000 in special education State funding by not complying. They are exploring ownership of school property to remain with the towns and the RSU would lease the space at a modest cost. The next meeting will be an open forum held at the high school auditorium. They are hoping to put forth the committee’s plan that has been put together under the advisement of Drummond and Woodsum.

E. Council Goal Setting: 2007 – Possible adoption of goals for completion by FY13. – Mr. Smith moved to adopt the Town Council Vision, Goals and Strategies document dated October 12, 2007 as submitted. Motion failed for lack of second.

Mr. Paradis, with second by Mr. Smith, moved to adopt the Town Council Vision, Goals and Strategies document dated October 12, 2007 as submitted with the exception of adding the following items as strategies under Goal 4:

1. Look at ways of reducing housing and property development costs to not further escalate housing costs.
2. Develop annual budget using zero-base budget analysis rather than incremental budgeting process whenever possible.

and to change Goal 6 as outlined in Council Chair Eveland's memo dated 10/16/07.

Following much discussion, Mr. Smith moved the question. Motion passed 5-2 (Nay: Mr. Garland, Ms. Schloss).

The main motion was voted. Motion passed 5-2 (Nay: Mr. Garland, Ms. Schloss).

F. Priority Projects – *Designation of priority projects for quarterly reporting purposes.* Mr. Paradis, with second by Mr. Smith, moved to adopt the Town Council FY08 Priority Projects as presented in the draft dated 10/14/07. Motion passed 7-0.

G. FY09 Budget Preparation: *Consideration of the Town Manager's request for guidance on a number of issues as he begins preparation of the budget for the fiscal year July 1, 2008 through June 30, 2009.*

1. **Budget Timeline** – *Possible adoption of a suggested timeline for budget preparation, including setting special Council meeting dates.* – Discussion ensued for the month of February schedule. The following amendments were made: moved February 5th and 19th regular meetings to January 29th and February 12th and hold budget meetings January 17th, 22nd, and 24th. Mr. Paradis, with second by Ms. Schloss, moved to adopt the Budget timeline as amended by the Town Manager. Motion passed 7-0.
2. **Tax Rate Target** – *Request of the Town Manager that Council adopt a maximum acceptable tax rate target.* – Following much discussion, Mr. Paradis, with second by Mr. Veilleux, moved to set the Tax Rate Increase Target at 0%. Motion passed 7-0.
3. **Inflation Assumptions** – *Review of the Town Manager's recommendations regarding budgeting standards.* – Mr. Paradis, with second by Mr. Smith, moved to adopt the budgeting standards as suggested in the Town Manager's memo to Council dated October 12, 2007. Motion passed 7-0.
4. **Tax Base Growth Assumptions** – *Review of the Town Manager's recommendations regarding the amount of new construction to be added to the tax base, or abatements subtracted.* – Mr. Paradis, with second by Mr. Smith, moved to use the amount of \$3,000,000 as the amount for assumed tax base growth. Motion passed 7-0.
5. **Fund Balance** – *Possible affirmation of the Council Fund Balance Policy governing what to do with the money "left over"*

from last fiscal year. – Following discussion, Mr. Paradis, with second by Mr. Garland, moved to budget for no FY09 transfer from the General Fund Undesignated and Unreserved Fund Balance. Motion passed 7-0.

- 6. Other Budget Issues** – *Discussion of any other matters related to the preparation of next year's budget.* – There was no action taken following much discussion on the placement of unexpected funds such as a recent Tree Growth penalty.

H. Veterans' Day Bell Ringing - *Possible request of the Town Council for local churches to sound their bells in observance of Veteran's Day, per state statute 30-A-MRSA §2901.4.* – Mr. Smith, with second by Ms. Schloss, moved to request staff to organize the annual Veterans Day bell ringing. Motion passed 7-0.

I. Treasurer's Warrant – *Request of Treasurer to authorize paid bills.* – Mr. Smith, with second by Mr. Paradis, moved to sign the Treasurer's warrant for paid bills. Motion passed 7-0.

VII. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA

Mr. Smith acknowledged Gail Kollman's letter regarding Ledgelawn Avenue being the street for trick or treaters. He is not sure what to do, and does sympathize with her.

He also noted recently the bid for a scanner showed a huge discrepancy and inquired why. It was explained that the higher bid included more bells and whistles than needed.

Mr. Jordan response to Mrs. Kollman was he too sympathizes with her and did announce the Bar Harbor Times and other local stores collect candy for the residents of Ledgelawn Avenue to pass out.

Mr. Paradis requested for the next meeting the Planning Director report her findings of the creation of an economic development district from her visit to Hyannis.

He reported that he received numerous comments on how great the view from the Bluffs are now that the trees were cleared.

Mr. Veilleux thanked Norman Hill and Charles Herrick for their years of service on the Communication Technology Task Force.

He also acknowledged the tremendous impact Halloween has on Ledgelawn Avenue residents and complimented the Bar Harbor Times for taking up a collection of candy, and hoped other organizations would do the same. He thanked the Bar Harbor Police Department for the great efforts in keeping the town free of vandalism on this day.

Mr. Garland also commented on the view from the Bluffs now that the trees were cleared.

He noted the traffic in the Town Hill area has slowed down since the radar trailer was set up in Town Hill.

Ms. Schloss thanked Bob Garland for his work on the RSU and reporting back to the Council.

Ms. Eveland acknowledged Ed Ryan our new video operator and appreciates his commitment. Doug Michaels is inquiring if the Town Council is willing to support legislation for State wide smoking ban. Ruth requested Council to let her know.

VIII. MATTERS FOR POSSIBLE EXECUTIVE SESSION:

A. Town Manager's Performance Evaluation – *(To be held in executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter)* – Mr. Paradis, with second by Mr. Smith, moved to enter into executive session at 9:10 p.m., following a break, as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter. Motion passed 7-0. Council went into executive session at 9:19 p.m. Council came out of executive session at 10:31 p.m.

IX. ADJOURNMENT – Mr. Paradis, with second by Mr. Veilleux, moved to adjourn at 10:31 p.m. Motion passed 7-0.

Paul Paradis, Secretary